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To: Commissioner for Patents for Examiner Rexford N. Barnie Group Art Unit 2643	Facsimile No.: 571/273-8300
From: Jennifer Pilcher Legal Assistant to Wayne Bailey	No. of Pages Including Cover Sheet: 15
Message: Transmitted herewith: <ul style="list-style-type: none">• Transmittal Document; and• Response to Office Action.	
Re: Application No. 09/942,797 Attorney Docket No: AUS920010453US1	
Date: Wednesday, August 17, 2005	
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 17 2005

In re application of: **Himmel et al.**Serial No.: **09/942,797**Filed: **August 30, 2001**For: **Proximity-Based Mobile
Telephone Billing Intervention**§
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§Group Art Unit: **2643**Examiner: **Barnie, Rexford N.**Attorney Docket No.: **AUS920010453US1**

35525

PATENT TRADEMARK OFFICE
CUSTOMER NUMBER

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on August 17, 2005.

By:

Jennifer Pilcher

TRANSMITTAL DOCUMENTCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

ENCLOSED HEREWITH:

- Response to Office Action.

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,


Cathrine K. Kinslow

Registration No. 51,886

Duke W. Yee

Registration No. 34,285

YEE & ASSOCIATES, P.C.

P.O. Box 802333

Dallas, Texas 75380

(972) 385-8777

ATTORNEYS FOR APPLICANTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: **Himmel et al.**Serial No.: **09/942,797**Filed: **August 30, 2001**For: **Proximity-Based Mobile
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CENTRAL FAX CENTER****AUG 17 2005****Certificate of Transmission Under 37 C.F.R. § 1.8(a)**

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By:


Jennifer Pilcher**RESPONSE TO OFFICE ACTION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

In response to the Office Action dated May 17, 2005, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.